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May 31, 2016

Via ECF

Hon. Paul G. Gardephe
US District Court Judge
Southern District of New York
United States Courthouse
40 Centre Street
New York, NY 10007

Re: USA v. Tuzman (Robin Smyth) (15 Cr. 536) (PGG)

Dear Judge Gardephe:

I am writing with the consent of the Government to respectfully request a modification of Mr. Smyth's bail conditions set on May 10, 2016. The conditions now in effect are as follows:

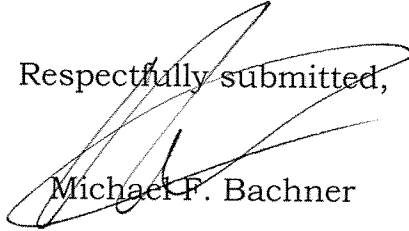
PRB Bond Entered as to Robin Smyth in amount of \$ 500,000.00. Secured by \$125,000.00 in Cash (Posted by his wife) and signature of Robert Petty; Defendant will be subject to GPS monitoring while on pretrial release, **and will reside at the Connecticut home of Mr. Petty for the next 30 days and thereafter at a residence acceptable to the pretrial services office;** Travel limits include the SDNY & EDNY and the DCT; Having surrendered his passport to the Government, the defendant is to make no new application for travel documents; regular pretrial supervision while on pretrial release (jw) (emphasis added)

The modification request deals solely with the highlighted condition. Since Mr. Smyth's release he has been residing in Mr. Petty's apartment. However, Mr. Petty has been in effect residing with his girlfriend, and has spent virtually no time in the apartment. Accordingly, the government has agreed to allow Mr.

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Smyth to continue to reside in Mr. Petty's apartment until such time as Mr. Smyth notifies the government that Mr. Petty has moved back into his residence. At that time Mr. Smyth will have thirty days to make new living arrangements.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael F. Bachner", is written over the typed name. The signature is stylized with a large, sweeping initial "M".

Michael F. Bachner

SO ORDERED:

USDCJ Gardephe

MFB/jl